CONFERENCE ON DISARMAMENT

CD/PV.796
4 June 1998

Original: ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND NINETY-SIXTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 4 June 1998, at 10.10 a.m.

President: Mr. Sungar (Turkey)

GE.98-62201 (E)

The PRESIDENT: I declare open the 796th plenary meeting of the Conference on Disarmament.

I should like at the outset to extend, on behalf of the Conference and on my own behalf, a warm welcome to the Minister for Foreign Affairs of the Islamic Republic of Iran, H.E. Dr. Kamal Kharrazi, who will address the Conference this morning. Over the past years, the Government of the Islamic Republic of Iran has regularly sent high-level officials to address this Conference, and the presence of the Foreign Minister among us today testifies to the abiding interest of his Government in our work and to the importance it attaches to our forum, especially at this crucial time. In view of the close historical ties between his country and my own, I am particularly gratified that the Foreign Minister has found time in his busy schedule to be with us today.

I now invite the Minister for Foreign Affairs of the Islamic Republic of Iran, H.E. Dr. Kamal Kharrazi, to address the Conference.

Mr. KHARRAZI (Islamic Republic of Iran): Mr. President, first of all my felicitations to you. It is pleasing to be here during the presidency of a distinguished representative from Turkey, the neighbour with whom we enjoy traditionally friendly relations. And then my deep condolences to the Government and people of Germany, and particularly the families of the victims of the tragic train incident which resulted in heavy loss of life.

There are a large number of vital issues that need to be addressed in this forum. Recent developments in our region, which have been the subject of my consultations in Islamabad and New Delhi, justify leaving those issues to a future occasion.

The exchanges in Islamabad and New Delhi have been preliminary but extensive. They provided the possibility of hearing, first-hand, the views and positions of both India and Pakistan on the nuclear tests that have been conducted, and their implications. We have listened and noted carefully the causes and reasons that have given rise to the decision to go ahead with the tests. We have also tried to maintain focus on the potential risks and dangers, and what could be considered as possible ways to avoid aggravation of the situation, and to move towards reducing tension. Here, I will share some of my initial findings and conclusions with you.

There is no doubt that a lack of serious attention and an absence of concrete action on nuclear disarmament has been a contributing factor. The indefinite extension of the NPT was to lead to definite moves towards a nuclear-weapons-free world. Instead, matters remained stalemated, progress became a rare commodity and the mood turned sombre. Alarm was particularly raised when some nuclear-weapon States, in defending their positions against the near-universal consensus on the illegality of the use of nuclear weapons expressed at The Hague, claimed the permanent right to possession of nuclear weapons, basing their argument on the permanent extension of the Treaty.

(Mr. Kharrazi, Islamic Republic of Iran)

This, along with the refusal to agree on commencing negotiations on nuclear disarmament at this Conference and the failure to address some of the legitimate concerns raised by non-nuclear-weapon States during the formation of the CTBT, yielded fertile ground for actions that we would all regret. Therefore, in laying responsibility, we should bear in mind that at least part of the blame rests on the insufficiency and insignificance of the response to demands for genuine moves on nuclear disarmament.

I should like to make it clear that to conduct nuclear tests is a misconduct, in laymen's terms, and that the ensuing responsibilities cannot be evaded, or eroded, under any pretext. All States, of course, have the legitimate and sovereign right to seek, acquire and develop any and all means necessary to preserve and ensure their national security. But when it comes to the question of nuclear weapons, it is evident that they breed instability and kill confidence by altering fundamentally the balance and the status quo. What is not evident, however, is that they enhance security. It seems more likely that the reverse is the case, and security follows a diminishing trend.

We should bear in mind, at the same time, that the nuclear capability of India or Pakistan has never been a complete secret. Its coming to the surface, therefore, is not a complete surprise. Yet, while it might be sublime to have a giant's strength, borrowing Shakespeare's edict, it is a giant mistake to manifest it. This was one genie that had much better stayed in the bottle.

Thus, the region has been faced with a situation of heightened alert. While on the surface things appear normal, there is an underlying sense of creeping uncertainty and ambiguity. The nuclear sword of Damocles is now hanging over the region by a slender thread. This is a source of serious concern for all of us in the region, and hence it should remain the focus of our sharp attention at this stage and our immediate priority. Without any attempt at unbridled interference, we need to move in order to help defuse tension and prevent further escalation.

It is entirely understandable, of course, that States may find it indispensable to express strong positions of deploring, out of frustration perhaps, and to prescribe means of exerting pressure and imposing sanctions on India and Pakistan. There seems to be a growing trend in this direction. The statement read out here two days ago on behalf of a large number of CD member States is only one indication. As the Chinese proverb goes, "everyone pushes the falling fence". But neither India nor Pakistan are falling fences or fences that fall. This, I believe, we would do well to realize. Therefore, rather than remaining fixated on the negative, I suggest seeking and accentuating the positive, however modest or meagre it might be under the prevailing circumstances.

With this in mind, and having noted the positions of the Governments in Islamabad and New Delhi, it is my impression, with a reasonable level of confidence, that the following areas represent common elements and a basis for initiatives that might be explored by the two States:

(Mr. Kharrazi, Islamic Republic of Iran)

A renewed commitment to resume and continue a comprehensive dialogue on all outstanding issues in a sustained manner with a view to their early resolution and with the objective of promoting a friendly and harmonious relationship between Pakistan and India and stability in the region. The dialogue would include, inter alia, the following: peace and security, Jammu and Kashmir, confidence-building measures, and nuclear issues, including the NPT and the CTBT.

The issues could be dealt with through pre-arranged mechanisms, which include discussions at the highest possible level, where appropriate, and particularly in relation to those indicated above.

A commitment to refrain from conducting any further nuclear tests for at least as long as the dialogue is under way and ways of dealing with nuclear issues are being examined.

A commitment to engage in immediate discussion with a representative group of non-nuclear-weapon States and nuclear-weapon States party to the NPT and signatory to the CTBT on joining these treaties.

I note here that the removal of export controls and other impediments to access to material, equipment and technology for peaceful use seems to be an essential issue for India and Pakistan in considering signing the CTBT and for making commitments conforming with the letter and spirit of the NPT.

A commitment to exercise maximum restraint and to refrain from any act that may aggravate the situation.

Avoiding the assembly or deployment of nuclear weapons.

Along with this, I should add a commitment to refrain from the transfer of weapons-related materials.

There are other suggestions put forward such as the conclusion of a non-aggression pact, a commitment for non-use or no first use, and readiness to commence negotiations on an FMCT. Some of these are apparently not ripe to move off the ground as yet. The latter two seem to be difficult, for instance, at this stage while an imbalance in the broader array or armaments and in stockpiles of fissile material is perceived.

Confidence-building measures, on the other hand, may include a variety of possibilities not dissimilar to those adopted in the European theatre.

I do recognize that some may not consider these elements sufficient or satisfactory in the face of the gravity of events and the strong position of the international community, as a whole, against nuclear explosions. As a matter of fact, they are not intended to be sufficient on their own. They tend to provide a broad enough basis, however, for a process to start which hopefully will pick up its own momentum and open the way for further moves.

(Mr. Kharrazi, Islamic Republic of Iran)

We intend to remain ready to continue regular exchanges with both States since we have noted that this is welcomed and as long, or as far, as our efforts may be deemed useful and helpful. We are, after all, in this neighbourhood and its security and stability is prominent to us. We hope that others may also be able and prepared to contribute once the heavy dust which has darkened the air has settled.

Before I conclude, let me issue a reminder that the recent developments have underlined the necessity of ensuring the universality of the NPT. This imperative is not only of paramount importance in South Asia but, in fact, in the Middle East, where the refusal by Israel to accede to the NPT and accept IAEA safeguards has gravely endangered the security of the entire region. this is more alarming in the light of the recent deadlock in the NPT Preparatory Committee. Thus it is necessary for all to accept the will of the international community to take practical steps for the establishment of a zone free from weapons of mass destruction in the Middle East.

The PRESIDENT: I thank the Minister for Foreign Affairs of the Islamic Republic of Iran for his important statement and for the kind words addressed to the Chair. I have no other speakers on my list today. Does any other delegation wish to take the floor? The Ambassador of Bangladesh, the floor is yours.

Mr. CHOWDHURY (Bangladesh): We have listened with great attention and interest to the distinguished Foreign Minister of the Islamic Republic of Iran, Dr. Kamal Kharrazi. We wish to thank him for the briefing he has given us and the rich analysis that he has provided, also for the recent constructive initiative he had undertaken in New Delhi and Islamabad. It is our belief that efforts such as these, rather than the ritualistic wringing of hands or throwing them up in despair, will help.

The tests have already taken place. Much as these sadden us, we must now look beyond the big bang and see how we could work together to create effective confidence-building mechanisms so that misperceptions or misunderstandings do not result in uncontrolled crisis slides. We must also be so focused as to ensure that all times reason prevails. Bangladesh will contribute to this process through positive action. After all, in the ultimate analysis, it is rationality which is the essence of deterrence.

Mr. DLAMINI (Swaziland): Speaking for the first time in this august assembly, my delegation would wish to preface our remarks by expressing our profound appreciation for having been admitted as an observer State. It is our hope that in the nearest future we shall pursue the relevant avenues to become a participating State in this body.

Coming from a region that has already set what we regard as a good example, that of signing a nuclear-free-zone treaty, the Pelindaba Treaty, last year, it is our hope in Africa that the rest of the regions of the world may follow suit. We did not do so as a region because of having the amenities to do so, but guided by faith, guided by hope, we felt, as a region, it was the right thing to do. With our friends in Asia, we shall remain available to

(Mr. Dlamini, Swaziland)

share the merits, the hope, the message of trust that can be achieved when a denuclearization zone is being signed and adhered to by all parties. Equally, through you, Mr. President, my delegation would appeal to your office to enhance whatever methods to support the initiative here today presented by the Government of Iran. Whatever the Government of Iran intends doing is not for their glory, but for the glory of mankind as a whole. Accordingly, through you, Mr. President, my delegation would express our profound gratitude on this initiative spelled out above by the Foreign Minister of the Islamic Republic of Iran.

Mr. de ICAZA (Mexico) (translated from Spanish): Mr. President, at the outset allow me to thank the Minister for Foreign Affairs of the Islamic Republic of Iran for his presence here and for his analysis of the situation with which we are faced and his very interesting initiatives.

The nuclear-weapon tests carried out during this month of May by India and Pakistan have been condemned by my Government, as we have always condemned all nuclear tests. In this very plenary of the Conference I have read out the communiqués issued by the Government of Mexico.

At the end of the first part of the session of this Conference on 26 March, the Under-Secretary for Foreign Relations of Mexico, Ambassador Carmen Moreno, expressed in this room the concern that we had at that time that "today the probability that these catastrophic weapons will be used intentionally is greater than ever". A bare two months have passed since these words were heard in this room, perhaps with some scepticism, and the media and statements by various Governments have echoed the same sentiments and promoted the same concern. We are not congratulating ourselves on that fact, but we do view as positive the fact that this Conference has come out of the drowsiness and complacency that had enveloped it for almost two years. What is important now is to understand the nature and the scope of the crises which we are facing and to direct our efforts towards achieving concrete results.

I refer to crises in the plural because I think there are at least two crises, which are interrelated but easily distinguishable. On the one hand there is between two countries in South Asia increasing tension in their mutual relations. This is an age-old controversy, with deep and complex roots, which has now been officially exacerbated with the addition of a nuclear dimension. If you will allow me a metaphor, a nuclear fuse has been attached to an old powder keg. We must urgently extinguish this fuse. The disputes require peaceful solutions. This, however, is not the appropriate forum to seek the settlement of disputes, nor is it competent in the maintenance of peace and security. However, we could, in the context of an agreement for the lowering of tension in South Asia, contribute through negotiations designed to bring a nuclear arms race under control. It is clear that lowering tension in South Asia requires that the aggressive nuclear capability that has been displayed should not be converted into the deployment of nuclear weapons, the specific targeting of any arms deployed, or the placing of deployed and targeted weapons systems on alert. We could also contribute to the necessary mechanisms for verification of any agreements

(Mr. de Icaza, Mexico)

reached. But all this would have to be done in the framework of understandings for the reaching of which other forums are more competent and other methods of peaceful settlement more appropriate. Today, the distinguished Minister for Foreign Affairs of Iran pointed to some interesting avenues that could be explored. Of course, in this security crisis in South Asia we have been encouraged by the statements by India and Pakistan that they do not intend to embark on a nuclear arms race. The Conference on Disarmament must be ready and willing to contribute to peace and security in that or any other region, even though its purpose is to negotiate global agreements.

But in the crisis that we are now experiencing there is a second dimension that clearly concerns us and is relevant to us as the sole multilateral negotiating body for disarmament. I am of course referring to the crisis in the international regime for the non-proliferation of nuclear weapons, which rests on difficult balancing acts, and which forms a structure in which we have seen disquieting cracks.

The regime for the non-proliferation of nuclear weapons is essential to peace and international security. It is composed of nuclear-weapon-free-zone treaties, the 1968 Non-Proliferation Treaty and the decisions taken when it was extended indefinitely in 1995, and the 1996 Comprehensive Nuclear Test-Ban Treaty.

This non-proliferation regime, made up of regional and worldwide treaties, rests on a number of basic understandings which are worth recapitulating.

The first understanding is that the commitments undertaken in the various treaties take on their full significance, a measure of stability, and actually contribute to peace and security, only if they are conscientiously respected and if they are universal. Regional universality, in the case of nuclear-weapon-free zones. Universality tout court in other cases. Universality is not an immediate requirement, but it must be realistically attainable and progress must be made towards it. Of course this May's nuclear-weapon tests have cast doubts on the possibility that some of these treaties, in their present wording, will acquire universal status.

The second basis premise or understanding on which the non-proliferation regime rests is that the nuclear-weapon States undertake not in any way to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. Extremely serious questions have been raised in the media over recent weeks, and in this very room, concerning the extent to which certain nuclear-weapon States have discharged this treaty obligation. These questions call for a response. The credibility of the non-proliferation regime is at stake. This issue will certainly be discussed extensively and in depth at the forthcoming conference to review the Treaty on the Non-Proliferation of Nuclear Weapons that is scheduled for the year 2000.

(Mr. de Icaza, Mexico)

The third premise or understanding is that renouncing the nuclear option is not the same as renouncing the peaceful applications of nuclear technology, and that States which have accepted the necessary safeguards should have access to information, materials and inputs for the application of nuclear energy for peaceful purposes. Certainly, well-founded doubts have arisen concerning the way in which this right is being respected. My delegation at least has always advocated multilateral agreements among all the parties, and not between self-selected clubs, for the transfer of technologies or dual-use materials. Once again this is an essential element of the non-proliferation regime, the implementation of which at present is far from satisfactory.

The fourth basic understanding is that all the treaties that comprise the non-proliferation regime, and the regime itself, are by their very nature of a transitional and provisional nature. This is an indispensable phase on the path to nuclear disarmament, and it will only be necessary until that objective is attained. There exists an obligation on all States, and particularly the nuclear-weapon States, to undertake and conclude negotiations on nuclear disarmament leading to a world that is free from nuclear weapons. The non-proliferation regime is designed to facilitate cessation of the production of nuclear weapons, the destruction of all stockpiles of such weapons and the elimination of nuclear weapons and their delivery systems. The political will to comply with this binding commitment has been called into question by the triumphalism that followed the indefinite extension of the Non-Proliferation Treaty.

I had the honour to be a member of my country's delegation to the 1995 conference which adopted, simultaneously and without a vote, principles and objectives for non-proliferation and disarmament, a strengthened review process for the treaty and the indefinite extension of its validity. How surprised I was when I reached this Conference on Disarmament a few weeks later and heard repeated claims that the treaty had become permanent. When I took the Chair of the Conference on Disarmament three years ago I said: "Obviously, the indefinite validity of a treaty means that the rights and obligations contracted by the parties do not expire on a fixed date. This, of course, does not mean that, as it seems to me I have heard, the treaty has become permanent or eternal. Few things in nature or in life" - if any - "are that, and certainly not an instrument conceived as a step towards a broader objective, subject to periodic" review "and susceptible of being denounced".

A regime based on asymmetry can be nothing but provisional. If in addition it is not universal, instability will be one of its characteristics. The non-proliferation regime rests basically on its credibility, and this in turn calls for practical and progressive steps towards its objective, which is the elimination of nuclear weapons.

Reluctance to deal with nuclear disarmament in this Conference, or to address it with the priority that it deserves in the Preparatory Committee for the Non-Proliferation Treaty Review Conference, has raised serious doubts about the commitments entered into in the decisions on principles and objectives for nuclear disarmament and non-proliferation adopted on the occasion of the indefinite extension of the 1968 treaty. The failure of the second Preparatory Committee deepened these doubts.

(Mr. de Icaza, Mexico)

There is a need for changes in perceptions and attitudes. It is not consistent to preach non-proliferation and practise nuclear deterrence. It is not convincing to claim that international security must rest on perpetual monopolies. It is not possible to continue to maintain that nuclear disarmament is a matter only for those that possess nuclear weapons, and hope to preserve the non-proliferation regime. Either nuclear disarmament is an aspiration and an undertaking shared by all, or the non-proliferation regime is destined to have a precarious and unstable future.

The fifth essential component of the non-proliferation regime is that States which give up the nuclear option should receive assurances against the use or the threat of the use of nuclear weapons. These assurances have to be credible, that is to say they have to be multilaterally negotiated, precise and binding. Until now none of the assurances offered, not even under the nuclear-weapon-free-zone treaties, fulfil all these requirements - at least not the requirement of precision. Certainly in the current crisis, the crisis involving South Asia and the non-proliferation regime, the issue of security assurances has acquired special significance and requires urgent attention.

The nuclear tests carried out this month raise new problems with regard to security assurances granted under the treaties that establish nuclear-weapon-free zones. This is a problem that calls for careful and sensitive consideration. Next week, I intend to officially initiate the work of the Ad Hoc Committee on security assurances, of which I have the honour to be the Chairman.

The non-proliferation regime is essential for peace and international security, since the risk that nuclear weapons might come to be used increases in direct proportion to their dissemination, accumulation and qualitative improvement. The regime is effective to the extent that nuclear weapons are not acquired by more countries, existing stockpiles do not grow and weapons systems are not technologically upgraded. The prohibition of nuclear testing cannot be just an instrument for horizontal non-proliferation. To see the CTBT as a non-proliferation treaty for threshold countries is not only a biased interpretation but a political and practical mistake. The essence and purpose of the CTBT is also, and above all, to curb vertical proliferation. If nuclear weapons continue to be developed through subcritical explosions or any other type of tests, an important dimension of the non-proliferation regime will be seriously called into question.

Likewise, it will not be possible to conclude the proposed treaty on cessation of the production of fissile material if the intention is to have one more instrument in the field of horizontal non-proliferation aimed at specific countries. It will have to be conceived and drawn up as a genuine disarmament measure.

The international non-proliferation regime must be preserved, its credibility re-established and its future assured. To that end, this Conference on Disarmament must undertake right away urgent negotiations on nuclear disarmament which will dispel all doubts regarding the unequivocal commitment of all States to the objective of a world free from nuclear weapons.

(Mr. de Icaza, Mexico)

Under a decision taken on 26 March last, the President of this Conference has to hold consultations on how to deal with nuclear disarmament in the Conference on Disarmament. It is urgently necessary to intensify these consultations with a view to the prompt establishment of an ad hoc committee, but also for a systematic examination of the crisis affecting South Asia and the crisis in the non-proliferation regime, in order to defuse the former and restore the credibility and viability of the latter.

In these consultations we can hardly use the still prevailing division into groups inherited from the cold war. It would be advisable to set up a consultative group composed of the de jure or de facto nuclear-weapon countries, and a geographically representative number of countries that do not possess such weapons, which could help you, Mr. President, in your heavy responsibilities. We wish you every success and offer you our support and cooperation.

The PRESIDENT: I thank the representative of Mexico for his statement. I now give the floor to the representative of Germany, Ambassador Seibert.

Mr. SEIBERT (Germany): I wish to thank His Excellency Minister Kharrazi for speaking to this Conference and for the condolences he expressed on the tragic train accident in Germany. I will transmit his condolences to my Government.

The PRESIDENT: Thank you very much for your statement, Ambassador. If there are no other speakers, I just wish to point out that the secretariat has circulated, at my request, a tentative timetable of meetings for the period 4-12 June 1998. This timetable is merely indicative and subject to change if necessary. On this understanding, may I assume that the timetable is acceptable?

It was so decided.

The PRESIDENT: This concludes our business for today. The next plenary meeting of the Conference will be held on Thursday, 11 June 1998, at 10 a.m.

The meeting rose at 10.55 a.m.